

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMES WILLIAMS,

Petitioner,

v.

MICHAEL D. OVERMYER et al.,

Respondents.

CIVIL ACTION
NO. 15-6188

ORDER

AND NOW, this 4th day of April 2016, upon consideration of the Report and Recommendation of Magistrate Judge Timothy R. Rice (Doc. No. 13), and that the Report and Recommendation has not been objected to by the parties, it is **ORDERED** that:

1. The Report and Recommendation (Doc. No. 13) is **APPROVED** and **ADOPTED**.
2. Petitioner's Request for a Stay and Abeyance (Doc. No. 12) is **DENIED**.
3. Plaintiff's Petition for Writ of Habeas Corpus (Doc. No. 1) is **DISMISSED WITHOUT PREJUDICE**.
4. The Clerk of Court shall close this case for statistical purposes.
5. The Clerk of Court shall return the state court record to the state courts so the pending PCRA petition can be decided.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.